

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In re Applications of	)	MM Docket No. 88-577
	)	
LIBERTY PRODUCTIONS,	)	File No. BPH-870831MI
A LIMITED PARTNERSHIP	)	
	)	
Et. Al.	)	
	)	
For Construction Permit for		
New FM Channel 243C3		
Biltmore Forest, North Carolina		

To: The Commission

NOV 20 2000

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SUPPLEMENT TO  
JOINT REQUEST FOR APPROVAL OF SETTLEMENT

Liberty Productions, a Limited Partnership ("Liberty") by counsel herewith supplements the Joint Request for Approval of Settlement, filed November 14, 2000, as follows:

1. On November 14, 2000, Liberty and Biltmore Forest Broadcasting FM, Inc. ("BFB") filed a Joint Request for Approval of Settlement ("Joint Request"), which contemplates the dismissal of Liberty's application in return for certain compensation to be paid by BFB.

2. The purpose of this supplement is to supply the attached Declarations, which consist of: the original of a Declaration of Liberty's General Partner, Valerie Klemmer Watts, which was previously submitted in facsimile form, and the supporting Declarations of Liberty's communications counsel and its local counsel.

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WEREFORÉ, premises considered, the attached Declarations should be ACCEPTED and made a part of and considered with the Joint Request.

Respectfully Submitted

LIBERTY PRODUCTIONS,  
A LIMITED PARTNERSHIP

By: 

Timothy K. Brady  
Its Attorney

P.O. Box 71309  
Newnan, GA 30271-1309  
770-252-2620

November 19, 2000

## DECLARATION

I, Valerie Klemmer Watts, hereby certify:

1. That I am the General Partner of Liberty Productions, a Limited Partnership ("Liberty"), applicant for a Construction Permit for a new FM broadcast station to operate on channel 243C3 at Biltmore Forest, North Carolina, which application is presently pending before the Federal Communications Commission and bears the file number BPH-870831MI.

2. That I have personal knowledge of the amount of the expenses legitimately and prudently incurred by Liberty to date in the preparation, filing and prosecution of its above referenced Application, which include, but are not limited to the following:

Engineering fee for preparation, filing and amendment of the application	3,120.00
Application filing fee	1,800.00
Hearing fee	6,000.00
Attorney's fees and costs for preparation, filing and prosecution of application	125,000.00
Hearing costs paid by Attorney from Trust Account, utilizing funds deposited by the Applicant	2,268.89
Travel/Lodging (2 persons)	1,000.00
Long Distance Toll Charges	261.94
Postage	22.70
Local Attorney's fees and costs for limited partnership organization, Federal District Court proceedings, local review of loan, security, settlement and other agreements, local record investigations, and other related services between August, 1987 and November, 2000	31,800.00

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TOTAL: \$ 171,273.53

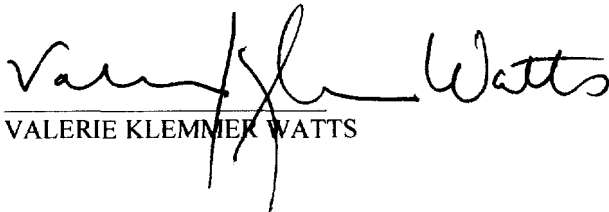
3. That I have personal knowledge that Liberty contributed a total of Five Thousand Dollars (\$ 5,000.00) to the joint interim operation of the Biltmore Forest station by the joint interim operator, Biltmore Forest Radio, Inc.

4. That sum of the above itemized out of pocket expenses incurred by Liberty in the preparation, filing and prosecution of its Application and contribution to Biltmore Forest Radio, Inc. for the joint interim operation equals:

**\$ 176,273.53**

I hereby certify under penalty of perjury that the above statement is true and correct.

Signed and dated this 10<sup>th</sup> day of November, 2000.

  
VALERIE KLEMMER WATTS

**TIMOTHY K. BRADY**  
ATTORNEY AT LAW  
P.O. Box 71309  
NEWNAN, GEORGIA 30271-1309  
(770)252-2620

DECLARATION

I, Timothy K. Brady, hereby certify:

That I have acted as communications counsel to Liberty Productions, a Limited Partnership ("Liberty"), since prior to the filing of its Application for Construction Permit (File No. BPH-870831MI) until the present.

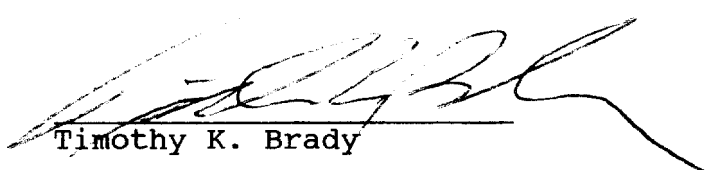
That I have billed Liberty in excess of \$ 125,000.00 for services rendered and costs advanced (for long distance phone calls, photocopies, binding, overnight courier, postage, facsimile transmissions, airfare, hotels, parking, cabfare, hearing transcripts and paralegal services) in the preparation, filing and prosecution of its Application.

That \$ 2,268.89 in additional prosecution costs (which were not advanced and billed by me) were paid out of my Client Trust Account, utilizing funds deposited by Liberty.

That I have billed Biltmore Forest Radio, Inc. in excess of \$ 27,000.00 in consideration for services rendered and costs advanced (for long distance phone calls, photocopies, overnight courier, and postage) in connection with its joint interim operation of the Biltmore Forest FM station.

I hereby certify under penalty of perjury that the above statement is true and correct.

Signed and dated this 17<sup>th</sup> day of November, 2000.

  
\_\_\_\_\_  
Timothy K. Brady

DECLARATION

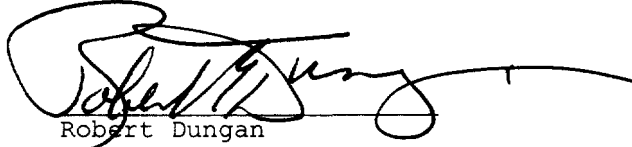
I, Robert Dungan, hereby certify:

That I have acted as local counsel to Liberty Productions, a Limited Partnership ("Liberty"), since prior to the filing of its Application for Construction Permit (File No. BPH-870831MI) until the present.

That I have billed Liberty a total of \$ 31,800.00 in consideration for services rendered between August, 1987 and November, 2000, including limited partnership organization, Federal District Court proceedings, local review of loan, security, settlement and other agreements, local record investigations, and other related services.

I hereby certify under penalty of perjury that the above statement is true and correct.

Signed and dated this 15<sup>th</sup> day of November, 2000.



Robert Dungan

CERTIFICATE OF SERVICE

I, Timothy K. Brady, hereby certify that I have this 17th  
day of November, 2000, served a copy of the foregoing Supplement  
to Joint Request for Approval of Settlement by First Class mail,  
postage prepaid upon the following:

John Riffer, Esq.  
Associate General Counsel  
FCC  
445 12th Street, SW  
Washington, DC 20554

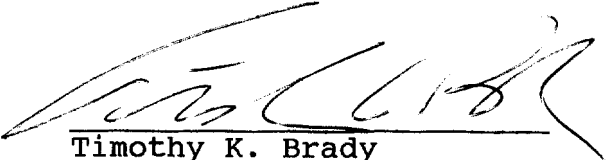
James W. Shook, Esq.  
Enforcement Bureau  
FCC  
445 12th Street, SW  
Washington, DC 20554

Donald J. Evans, Esq.  
Fletcher, Heald & Hildreth  
1300 N. 17th Street, 11th Floor  
Arlington, VA 22209  
(Counsel for Biltmore Forest  
Broadcasting FM, Inc.)

Stephen T. Yelverton, Esq.  
601 Thirteenth Street, NW  
Suite 500 North  
Washington, DC 20005  
(Counsel for Willsyr Communications  
Limited Partnership)

Robert A. DePont, Esq.  
P.O. Box 386  
Annapolis, MD 21404  
(Counsel for Skyland Broadcasting Co.)

Lee J. Peltzman, Esq.  
Shainis and Peltzman  
1901 L Street, NW, Suite 290  
Washington, DC 20036  
(Counsel for Orion Communications Limited)

  
Timothy K. Brady